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July 1, 2010

Magistrate Judge James Larson  
United States District Court, Northern District of California  
Courtroom F, 15th Floor  
450 Golden Gate Avenue  
San Francisco, CA 94102



**RE: *Bruce Hemphill, et al. v. City of San Leandro, et al.***  
**United States District Court, Northern District, Case No. C09-03649 JCS**

Dear Magistrate Larson:

This correspondence is regarding the attendance of the various Defendants at the Mandatory Settlement Conference session on July 16, 2010 in the above-referenced matter. This office represents Defendant the City of San Leandro, and several of the individually-named police officer Defendants. The City is providing a defense in this matter for all of the named Defendants.

Our understanding is that issues regarding the attendance of parties must be brought directly to your attention. It will be a hardship on the City for all of the named officers to attend, and our investigation has reflected that individual Defendants McManus, Khan and Sellers had the most direct involvement in the matter. We thus propose that these officers attend the Mandatory Settlement Conference, along with a representative of the City, and respectfully request that the other named officers be excused from attendance.

Additionally, our understanding is that based on the *Mehserle* trial and upcoming verdict, all San Leandro officers are on standby for mutual aid, and there is a slight chance that no officer will be able to attend.

We thus request that all officers, other than those named above be excused from the Mandatory Settlement Conference and that the Court not impose sanctions on any officer's failure to attend based on the need to provide mutual aid.

Please contact us should you require further information.

Very truly yours,

A handwritten signature in black ink, which appears to read "Matt", followed by a long, sweeping horizontal line that extends to the right.

Matthew A. Lavrinets

MAL:kky

c: John L. Burris, Esq.  
Steven R. Yourke, Esq.  
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